IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.728 OF 2006

Shankar Dagadu Chavan & Anr. .. Petitioners

Versus

Sharmrao Mahipati Magdum & Ors. .. Respondents

Mr.Indrajeet Joshi for petitioners.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 13th February 2006.

P.C.

. In my view, no interference is necessary with the discretion exercised by the trial court while allowing defendant to file written statement. Written Statement was accompanying

the application for condonation of delay in filing written statement. The suit is of the year 2004 and the petitioner plaintiff has been compensated by payment of cost. There is no error apparent or perversity disclosed in the order under challenge. However, the cost which have been directed to be paid by the trial court is enhanced to Rs.1200/- to be paid in the trial court. Petition dismissed subject to this modification.

(S.C.DHARMADHIKARI, J)